UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,684	11/12/2003	James H. Hogg	MS1-1715US	7006

22801   7590   10/18/2006

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EXAMINER
CHAVIS, JOHN Q

ART UNIT	PAPER NUMBER
2193	

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/706,684	HOGG ET AL.
	Examiner	Art Unit	
	John Chavis	2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 November 2003*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *2/9/04*.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the
United States before the invention thereof by the applicant for patent, or on an international application
by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior

to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2.   Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by

Charnell et al. (7,069,549).

What is claimed is:	Charnell
1. A method for revising code, comprising: providing a first code module containing a resource;	See the title and the abstract.
transferring the resource from the first code module to a second code module;	See the control transfer instruction in the abstract.
providing forwarding information in a new version of the first code module that points to the second code module; and	See the patch indicated in the abstract.
accessing the resource in the second	See figs. 1A-1F.

code module via the forwarding
information in the first code module.

2. The method according to claim
1, wherein the first code module
and second code module include
resources in the form of type
definitions that are accessible to
an application program.

See col. 8 lines 50-59.

3. The method according to claim
1, wherein, subsequent to the
transferring, the first code
module includes no resources.

See col. 2 lines 40-45 and col. 5
lines 18-24.

4. The method according to claim
1, wherein, subsequent to the
transferring, the first code module
includes remaining resources.

See col. 7 lines 30-45, col. 8
lines 60-64, and col. 9 lines
13-27. Also, see fig. A3-3.

5. The method according to claim
1, wherein the forwarding
information contains parameters
for specifying a name of the
resource and a location of the
resource.

"   "   "

6. The method according to claim
1, wherein the forwarding
information contains parameters
for specifying a previous name of
the resource, and a new name of
the resource.

See fig. 1C.

7. The method according to claim
1, further comprising repeating the
above-referenced resource
transferring and providing of the
forwarding information one or
more times to establish a chain of
forwarding information, wherein
the resource is accessed through
the chain of forwarding

"   "

information.

8. The method according to claim 1, wherein the accessing comprises compiling the first code module and the second code module to produce metadata that describes how the first code module is coupled to the second code module via the forwarding information, wherein the metadata is used to retrieve the resource from the second code module via the forwarding information.

"   "

9. The method according to claim 8, wherein the accessing further comprises generating machine-executable code based on the metadata.

"   "

In reference to claim 10, see the rejection of claim 1.

As per claims 11, and 18, see the rejection of claim 8.

See claims 2-3, in reference to claims 12-13.

The features of claim 14 are taught via claim 7.

In reference to claims 15-16, see the rejection of claims 5-6.

As per claims 17and 21-22, note that interpreted code (intermediate code) can be compiled (converted to native code), via the various figures cited above.

See claim 4 in reference to claims 19-20.

3.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Chavis whose telephone number is (571) 272-3720. The examiner can normally be reached on M-F, 9:00am-5:30pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kakali Chaki can be reached on (571) 272-3719. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JC

John Chavis
Primary Examiner AU-2193